



**Service of Process
Transmittal**

04/27/2017

CT Log Number 531130544

TO: Curtis Parks
Amusement Management Partners LLC
4446 Hendricks Avenue, Suite 147
Jacksonville, FL 32207

RE: Process Served in Texas

FOR: Amusement Management Partners LLC (Domestic State: FL)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: ANAHI SUHAY, Pltf. vs. AMP, LLC, Dft.
Name discrepancy noted.

DOCUMENT(S) SERVED: Citation(s), Original Petition and Request

COURT/AGENCY: 129th Judicial District Court, Harris County, TX
Case # 201726161

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition - On or about
October 22, 2016

ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX

DATE AND HOUR OF SERVICE: By Certified Mail on 04/27/2017 postmarked on 04/25/2017

JURISDICTION SERVED : Texas

APPEARANCE OR ANSWER DUE: By 10:00 a.m. on the Monday next after the expiration of 20 days (Document(s) may
contain additional answer dates)

ATTORNEY(S) / SENDER(S): Tobias A. Cole
THE COLE LAW FIRM
1616 S. Voss Road
Suite 450
Houston, TX 77057
(832) 539-4900

ACTION ITEMS: SOP Papers with Transmittal, via UPS Next Day Air , 1Z0399EX0111381391

SIGNED: C T Corporation System
ADDRESS: 1999 Bryan Street
Suite 900
Dallas, TX 75201
TELEPHONE: 214-932-3601

Page 1 of 1 / AS

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

EXHIBIT A



HARRIS COUNTY DISTRICT CLERK
P.O. Box 4651
HOUSTON, TEXAS 77210-4651



neopost

047J82004178
\$07.290
04/25/2017
Mailed From 77002
US POSTAGE

AMP, LLC
AGT: CT CORPORATION SYSTEM
1999 BRYAN STREET, STE 900
DALLAS, TX 75201-3136

ul

CAUSE NO. 201726161

RECEIPT NO.

75.00 CTM

TR # 73365598

PLAINTIFF: SUHAY, ANAHI
vs.
DEFENDANT: AMP LLC

In The 129th
Judicial District Court
of Harris County, Texas
129TH DISTRICT COURT
Houston, TX

THE STATE OF TEXAS
County of Harris

CITATION (CERTIFIED)

TO: AMUSEMENT MANAGEMENT PARTNERS LLC (A FLORIDA LIMITED LIABILITY
COMPANY) BY SERVING ITS REGISTERED AGENT CT CORPORATION SYSTEM

1999 BRYAN STREET SUITE 900 DALLAS TX 75201 - 3136

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION WITH REQUEST FOR JURY TRIAL AND REQUEST
FOR DISCLOSURE

This instrument was filed on the 17th day of April, 2017, in the above cited cause number
and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a
written answer with the District Clerk who issued this citation by 10:00 a.m on the Monday
next following the expiration of 20 days after you were served this citation and petition,
a default judgment may be taken against you.

TO OFFICER SERVING:

This citation was issued on 24th day of April, 2017, under my hand and
seal of said Court.

Issued at request of:

COLE, TOBIAS A.
1616 S. VOSS, SUITE 450
HOUSTON, TX 77057
Tel: (832) 539-4900
Bar No.: 24007021



Chris Daniel

CHRIS DANIEL, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
(P.O. Box 4651, Houston, Texas 77210)

Generated By: HILL, MARCELLA DIANA DBG//10663326

CLERK'S RETURN BY MAILING

Came to hand the _____ day of _____, _____, and executed by
mailing to Defendant certified mail, return receipt requested, restricted delivery, a true
copy of this citation together with an attached copy of
PLAINTIFF'S ORIGINAL PETITION WITH REQUEST FOR JURY TRIAL AND REQUEST
to the following addressee at address:

(a) ADDRESSEE

ADDRESS

Service was executed in accordance with Rule 106
(2) TRCP, upon the Defendant as evidenced by the
return receipt incorporated herein and attached
hereto at _____

on _____ day of _____
by U.S. Postal delivery to _____

This citation was not executed for the following
reason: _____

CHRIS DANIEL, District Clerk
Harris County, TEXAS

By _____, Deputy

N. INT. CITM. P

73365598

EXHIBIT A

CAUSE NO. 201726161

RECEIPT NO.

75.00 CTM

TR # 73365598

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vs.
DEFENDANT: AMP LLC

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129TH DISTRICT COURT
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County of Harris

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on _____ day of _____
by U.S. Postal delivery to _____

This citation was not executed for the following
reason: _____

CHRIS DANIEL, District Clerk
Harris County, TEXAS

By _____, Deputy

N.INT.CITM.P

73365598

EXHIBIT A

4/19/2017 2:03:44 PM
Chris Daniel - District Clerk Harris County
Envelope No. 16542442
By: Rayshana Alexander
Filed: 4/17/2017 2:56:34 PM

2017-26161 / Court: 129

CAUSE NO.

ANAHI SUHAY
Plaintiff

VS.

AMP, LLC
Defendant

§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION,
REQUESTS FOR DISCLOSURES REQUEST FOR JURY TRIAL

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, ANAHI SUHAY, hereinafter referred to as "Plaintiff," complaining of AMP, LLC hereinafter referred to as "Defendant," and for cause of action would respectfully show the Court as follows:

I.

1. Plaintiff intends that discovery be conducted under Level 2 and affirmatively pleads that she seeks monetary relief aggregating more than \$50,000.00.

II.

2. Plaintiff is a resident of Harris County, Texas.

3. Defendant, AMP, LLC is a Florida limited liability company doing business in Texas. It may be served through its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas, 75201-3136. Plaintiff requests citation be issued and served on Defendant at this time.

III.

4. Venue is proper in Harris County, Texas because the acts and/or omissions giving rise to this suit occurred in Harris County, Texas.

Suhay vs. AMP, LLC
Plaintiff's Original Petition, Requests for Disclosure and Request for Jury Trial
Page 1 of 5

IV.

5. Plaintiff, **ANAHI SUHAY**, brings this lawsuit to recover for the damages and personal injuries suffered, resulting directly and proximately from Defendant's negligence. Specially, on or about October 22, 2016, **ANAHI SUHAY** was struck from behind by another go-kart at a high rate of speed causing her injuries.

V.

NEGLIGENCE

6. Defendant's negligence and failure to use ordinary care was the direct and proximate cause of the incident in question and of **ANAHI SUHAY**'s damages and personal injuries. Defendant is guilty of the following acts of negligence and common law negligence, each of which was the direct and proximate cause of her injuries and damages, to-wit:

- a. Failing to inspect the go karts on a daily basis;
- b. Failing to maintain the go karts in a safe condition;
- c. Failing to hire qualified employees to safely operate the go kart track / facility;
- d. Failing to train employees to safely do their jobs;
- e. Failing to adequately supervise employees and the go kart track;
- f. Failing to develop policies and procedures for the protection and safety of customers;
- g. Failing to enforce company safety policies and procedures for protection of customers;
- h. Failing to comply with recognized safety rules, policies, procedures and industry standards for the operation of go kart tracks;
- i. Failing to recognize the subject go kart was unsafe, damaged or out of service;
- j. Failing to take the subject go kart out of service;

- k. Failing to take preventative measures to prevent unnecessary injuries;
- l. Violations of Texas Law and ASTM Industry standards; and
- m. Other acts deemed negligent.

7. The above acts, errors and omissions of Defendant and those of its agents, servants and employees constituted negligence. At all relevant times, Defendant's agents, servants and employees were acting in the course and scope of their employment with Defendant. Defendant is therefore vicariously liable for all acts of its employees, agents and representatives under the theory of respondeat superior. Such negligence caused Plaintiff to sustain significant injuries for which she now sues.

8. Because of the foreseeability of injury to Plaintiff and the public was so apparent, yet completely ignored by Defendant, Defendant is liable to Plaintiff for negligence, malice and/or gross negligence and same was a proximate cause of the occurrence in question and/or of Plaintiff's damages.

VI.

9. Pursuant to Rule 47 of the Texas Rules of Civil Procedure, **ANAHI SUHAY** affirmatively pleads that she is seeking damages in excess of \$200,000.00, but no more than \$1,000,000.00 for:

- a. Physical impairment in the past and future;
- b. Physical pain and suffering incurred in the past and future;
- c. Mental anguish incurred in the past and future; and
- d. Medical expenses incurred in the past and future.

VII.

REQUEST FOR DISCLOSURES

10. Under Texas Rule of Civil Procedure 194, Plaintiff hereby requests that Defendant disclose, within fifty (50) days of the service of this request, the information or material described in Rule 194.2.

VIII.

RULE 193.7 NOTICE

11. Plaintiff gives notice to Defendant that she intends to use all discovery responses as evidence at trial in accordance with such right and privileges established by Texas Rules of Civil Procedure 193.7.

IX.

SPOILIATION

12. Plaintiff hereby requests and demands that Defendant preserve and maintain all evidence pertaining to any claim or defense related to the incident made the basis of this lawsuit or the damages resulting therefrom, including statements, photographs, videotapes, audiotapes, surveillance or security tapes or information, business or medical records, incident reports, periodic reports, financial statements, bills, telephone call slips or records, estimates, invoices, checks, measurements, correspondence, facsimiles, email, voice mail, text messages, any evidence involving the incident in question, and any electronic image or information related to the referenced incident or damages. Failure to maintain such items will constitute "spoliation" of the evidence. Plaintiff further requests Defendant provide a copy of the surveillance video.

X.

JURY DEMAND

Plaintiff requests trial by jury whose appropriate fee was paid with the filing of Plaintiff's Original Petition.

XI.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff, **ANAHI SUHAY** requests that Defendant be cited to appear and answer herein, that Plaintiff receive judgment against Defendant in a sum within the jurisdictional limits of this Court, with pre-judgment and post-judgment interest at the highest rate allowed by law, exemplary damages, costs of suit, and such other and further relief, legal and equitable, to which she may show herself justly entitled.

Respectfully submitted,

THE COLE LAW FIRM

/s/ Tobias A. Cole

Tobias A. Cole

SBN: 24007021

tohy@colelawfirm.com

1616 S. Voss Road, Suite 450

Houston, Texas 77057

Telephone: (832) 539-4900

Facsimile: (832) 539-4899

ATTORNEY FOR PLAINTIFF

ANAHI SUHAY